

Senate File 2367 - Introduced

SENATE FILE 2367

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3238)

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly
4 related matters.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
ADMINISTRATION AND REGULATION
APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

1. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,746,420
.....	FTEs	62.51

b. For the payment of utility costs:

.....	\$	3,127,085
.....	FTEs	1.00

Notwithstanding section 8.33, any excess funds appropriated for utility costs in this lettered paragraph shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this lettered paragraph during the succeeding fiscal year.

It is the intent of the general assembly that the department shall reduce utility costs through energy conservation practices. The goal of the general assembly is to reduce energy use by 10 percent to save money, conserve energy resources, and reduce pollution.

c. The department shall, with the goal of reducing costs, reduce the size of the state fleet, examine policies on when state vehicles are assigned and circumstances for when employees take state vehicles home, and consider guidelines for when to sell and purchase new vehicles. The department shall submit a report to the general assembly by January 1, 2011, concerning the department's efforts to reduce state motor vehicle fleet costs, including data on the extent of savings

1 realized.

2 2. Members of the general assembly serving as members of
3 the deferred compensation advisory board shall be entitled
4 to receive per diem and necessary travel and actual expenses
5 pursuant to section 2.10, subsection 5, while carrying out
6 their official duties as members of the board.

7 3. Any funds and premiums collected by the department for
8 workers' compensation shall be segregated into a separate
9 workers' compensation fund in the state treasury to be used
10 for payment of state employees' workers' compensation claims
11 and administrative costs. Notwithstanding section 8.33,
12 unencumbered or unobligated moneys remaining in this workers'
13 compensation fund at the end of the fiscal year shall not
14 revert but shall be available for expenditure for purposes of
15 the fund for subsequent fiscal years.

16 4. For the fiscal year beginning July 1, 2010, and ending
17 June 30, 2011, the rate set for a service provided solely
18 by the department of administrative services as determined
19 pursuant to section 8.6, subsection 16, paragraph "c", shall
20 not exceed the rate set for that service as of January 1, 2010.

21 Sec. 2. REVOLVING FUNDS.

22 1. There is appropriated to the department of
23 administrative services for the fiscal year beginning July
24 1, 2010, and ending June 30, 2011, from the revolving funds
25 designated in chapter 8A and from internal service funds
26 created by the department such amounts as the department deems
27 necessary for the operation of the department consistent with
28 the requirements of chapter 8A.

29 2. There is appropriated to the information technology
30 division of the department of management for the fiscal year
31 beginning July 1, 2010, and ending June 30, 2011, from the
32 revolving funds designated in chapter 8B and from internal
33 service funds created by the division such amounts as the
34 division deems necessary for the operation of the division
35 consistent with the requirements of chapter 8B.

1 Sec. 3. FUNDING FOR IOWACCESS.

2 1. Notwithstanding section 321A.3, subsection 1, for
3 the fiscal year beginning July 1, 2010, and ending June 30,
4 2011, the first \$1,000,000 collected and transferred by the
5 department of transportation to the treasurer of state with
6 respect to the fees for transactions involving the furnishing
7 of a certified abstract of a vehicle operating record under
8 section 321A.3, subsection 1, shall be transferred to the
9 IowAccess revolving fund for the purposes of developing,
10 implementing, maintaining, and expanding electronic access to
11 government records as provided by law.

12 2. All fees collected with respect to transactions
13 involving IowAccess shall be deposited in the IowAccess
14 revolving fund and shall be used only for the support of
15 IowAccess projects.

16 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
17 CHARGE. For the fiscal year beginning July 1, 2010, and ending
18 June 30, 2011, the monthly per contract administrative charge
19 which may be assessed by the department of administrative
20 services shall be \$2 per contract on all health insurance plans
21 administered by the department.

22 Sec. 5. AUDITOR OF STATE.

23 1. There is appropriated from the general fund of the state
24 to the office of the auditor of state for the fiscal year
25 beginning July 1, 2010, and ending June 30, 2011, the following
26 amount, or so much thereof as is necessary, to be used for
27 the purposes designated, and for not more than the following
28 full-time equivalent positions:

29 For salaries, support, maintenance, and miscellaneous
30 purposes:

31	\$	905,468
32	FTEs	103.00

33 The auditor of state may retain additional full-time
34 equivalent positions as is reasonable and necessary to
35 perform governmental subdivision audits which are reimbursable

1 pursuant to section 11.20 or 11.21, to perform audits which are
2 requested by and reimbursable from the federal government, and
3 to perform work requested by and reimbursable from departments
4 or agencies pursuant to section 11.5A or 11.5B. The auditor
5 of state shall notify the department of management, the
6 legislative fiscal committee, and the legislative services
7 agency of the additional full-time equivalent positions
8 retained.

9 2. As a condition of receiving funding appropriated in
10 this section, for the fiscal year beginning July 1, 2010, and
11 ending June 30, 2011, the auditor shall comply with all of the
12 following requirements:

13 a. The rates and fees set by the auditor to conduct audits
14 for the fiscal year shall not exceed the rates and fees set for
15 conducting audits as of January 1, 2009.

16 b. The auditor shall not seek reimbursement from
17 departments and agencies specified in section 11.5B in an
18 amount that exceeds the total amount reimbursed to the auditor
19 by those departments and agencies for the fiscal year beginning
20 July 1, 2008.

21 c. The auditor shall not seek reimbursement from
22 governmental subdivisions for audits which are reimbursable
23 pursuant to section 11.20 or 11.21 in an amount that exceeds
24 the total amount reimbursed to the auditor by governmental
25 subdivisions for the fiscal year beginning July 1, 2008.

26 d. Notwithstanding any provision of this subsection to the
27 contrary, the auditor may seek reimbursement from departments
28 and agencies specified in section 11.5B, and governmental
29 subdivisions, in an amount that exceeds the total amount
30 reimbursed to the auditor by those departments, agencies, or
31 governmental subdivisions for the fiscal year beginning July
32 1, 2008, for audits required by the federal government and
33 reimbursable from federal funds.

34 e. For purposes of this subsection, "total amount
35 reimbursed" does not include amounts reimbursed for audits

1 required and reimbursed from federal funds.

2 Sec. 6. AUDITOR OF STATE — DISCRETIONARY AUDITS. For the
3 fiscal year beginning July 1, 2010, and ending June 30, 2011,
4 the auditor of state, in addition to any other requirements
5 provided in this Act, shall not seek reimbursement from
6 departments and agencies specified in section 11.5B for any
7 discretionary audit that the auditor initiates or has initiated
8 on the auditor's own authority and which is not specifically
9 required by statute. Notwithstanding the prohibition contained
10 in this section, the auditor shall perform all necessary audit
11 duties related to any financial report required to be compiled
12 by a department or agency that the auditor has previously
13 audited in the normal course of the auditor's duties, whether
14 or not such financial report is required by law. Any amounts
15 reimbursed in association with such audit shall be limited to
16 the amounts reimbursed for the audit of such report during the
17 previous reporting period. However, the auditor of state may
18 seek reimbursement for the cost of conducting a discretionary
19 audit from any moneys recovered pursuant to any criminal or
20 civil action arising out of the discretionary audit.

21 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
22 is appropriated from the general fund of the state to the
23 Iowa ethics and campaign disclosure board for the fiscal year
24 beginning July 1, 2010, and ending June 30, 2011, the following
25 amount, or so much thereof as is necessary, for the purposes
26 designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:

30	\$	537,256
31	FTEs	5.00

32 Sec. 8. DEPARTMENT OF COMMERCE.

33 1. There is appropriated from the general fund of the
34 state to the department of commerce for the fiscal year
35 beginning July 1, 2010, and ending June 30, 2011, the following

1 amounts, or so much thereof as is necessary, for the purposes
2 designated:

3 a. ALCOHOLIC BEVERAGES DIVISION

4 For salaries, support, maintenance, and miscellaneous
5 purposes, and for not more than the following full-time
6 equivalent positions:

7	\$	1,786,444
8	FTEs	31.00

9 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

10 For salaries, support, maintenance, and miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	810,498
14	FTEs	14.00

15 2. There is appropriated from the department of commerce
16 revolving fund created in section 546.12 to the department of
17 commerce for the fiscal year beginning July 1, 2010, and ending
18 June 30, 2011, the following amounts, or so much thereof as is
19 necessary, for the purposes designated:

20 a. BANKING DIVISION

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24	\$	8,851,670
25	FTEs	80.00

26 b. CREDIT UNION DIVISION

27 For salaries, support, maintenance, and miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:

30	\$	1,727,995
31	FTEs	19.00

32 c. INSURANCE DIVISION

33 (1) For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 4,928,244

2 FTEs 103.00

3 (2) The insurance division may reallocate authorized
4 full-time equivalent positions as necessary to respond to
5 accreditation recommendations or requirements. The insurance
6 division expenditures for examination purposes may exceed the
7 projected receipts, refunds, and reimbursements, estimated
8 pursuant to section 505.7, subsection 7, including the
9 expenditures for retention of additional personnel, if the
10 expenditures are fully reimbursable and the division first does
11 both of the following:

12 (a) Notifies the department of management, the legislative
13 services agency, and the legislative fiscal committee of the
14 need for the expenditures.

15 (b) Files with each of the entities named in subparagraph
16 division (a) the legislative and regulatory justification for
17 the expenditures, along with an estimate of the expenditures.

18 (3) The insurance division shall allocate \$10,000 from
19 the examination receipts for the payment of its fees to the
20 national conference of insurance legislators.

21 d. UTILITIES DIVISION

22 (1) For salaries, support, maintenance, and miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions:

25 \$ 8,173,069

26 FTEs 72.00

27 (2) The utilities division may expend additional funds,
28 including funds for additional personnel, if those additional
29 expenditures are actual expenses which exceed the funds
30 budgeted for utility regulation and the expenditures are fully
31 reimbursable. Before the division expends or encumbers an
32 amount in excess of the funds budgeted for regulation, the
33 division shall first do both of the following:

34 (a) Notify the department of management, the legislative
35 services agency, and the legislative fiscal committee of the

1 need for the expenditures.

2 (b) File with each of the entities named in subparagraph
3 division (a) the legislative and regulatory justification for
4 the expenditures, along with an estimate of the expenditures.

5 (3) Notwithstanding sections 8.33 and 476.10 or any other
6 provision to the contrary, any balance of the appropriation
7 made in this paragraph for the utilities division or any other
8 operational appropriation made for the fiscal year beginning
9 July 1, 2010, and ending June 30, 2011, that remains unused,
10 unencumbered, or unobligated at the close of the fiscal year
11 shall not revert but shall remain available to be used for
12 purposes of the energy-efficient building project authorized
13 under section 476.10B, or for relocation costs in succeeding
14 fiscal years.

15 3. CHARGES. Each division and the office of consumer
16 advocate shall include in its charges assessed or revenues
17 generated an amount sufficient to cover the amount stated
18 in its appropriation and any state-assessed indirect costs
19 determined by the department of administrative services.

20 4. TRAVEL. The director of the department of commerce shall
21 review on a quarterly basis all out-of-state travel for the
22 previous quarter for officers and employees of each division
23 of the department if the travel is not already authorized by
24 the executive council.

25 Sec. 9. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING
26 AND REGULATION BUREAU. There is appropriated from the housing
27 trust fund of the Iowa finance authority created in section
28 16.181, to the bureau of professional licensing and regulation
29 of the banking division of the department of commerce for the
30 fiscal year beginning July 1, 2010, and ending June 30, 2011,
31 the following amount, or so much thereof as is necessary, to be
32 used for the purposes designated:

33 For salaries, support, maintenance, and miscellaneous
34 purposes:

35 \$ 62,317

1 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is
2 appropriated from the general fund of the state to the offices
3 of the governor and the lieutenant governor for the fiscal year
4 beginning July 1, 2010, and ending June 30, 2011, the following
5 amounts, or so much thereof as is necessary, to be used for the
6 purposes designated:

7 1. GENERAL OFFICE

8 For salaries, support, maintenance, and miscellaneous
9 purposes for the general office of the governor and the general
10 office of the lieutenant governor, and for not more than the
11 following full-time equivalent positions:

12 \$ 1,947,567
13 FTEs 25.25

14 2. TERRACE HILL QUARTERS

15 For salaries, support, maintenance, and miscellaneous
16 purposes for the governor's quarters at Terrace Hill, and for
17 not more than the following full-time equivalent positions:

18 \$ 394,291
19 FTEs 10.00

20 3. ADMINISTRATIVE RULES COORDINATOR

21 For salaries, support, maintenance, and miscellaneous
22 purposes for the office of administrative rules coordinator,
23 and for not more than the following full-time equivalent
24 positions:

25 \$ 114,450
26 FTEs 3.00

27 4. NATIONAL GOVERNORS ASSOCIATION

28 For payment of Iowa's membership in the national governors
29 association:

30 \$ 40,300

31 5. STATE-FEDERAL RELATIONS

32 For salaries, support, maintenance, and miscellaneous
33 purposes for the office for state-federal relations, and for
34 not more than the following full-time equivalent positions:

35 \$ 41,958

1 FTEs 2.00

2 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. There
3 is appropriated from the general fund of the state to the
4 governor's office of drug control policy for the fiscal year
5 beginning July 1, 2010, and ending June 30, 2011, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 For salaries, support, maintenance, and miscellaneous
9 purposes, including statewide coordination of the drug abuse
10 resistance education (D.A.R.E.) programs or similar programs,
11 and for not more than the following full-time equivalent
12 positions:

13 \$ 357,866
14 FTEs 8.00

15 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is appropriated
16 from the general fund of the state to the department of human
17 rights for the fiscal year beginning July 1, 2010, and ending
18 June 30, 2011, the following amounts, or so much thereof as is
19 necessary, to be used for the purposes designated:

20 1. CENTRAL ADMINISTRATION DIVISION

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:

24 \$ 274,773
25 FTEs 7.00

26 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

27 For salaries, support, maintenance, and miscellaneous
28 purposes, and for not more than the following full-time
29 equivalent positions:

30 \$ 1,247,926
31 FTEs 18.20

32 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

33 For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 1,284,725

2 FTEs 11.18

3 The criminal and juvenile justice planning advisory council
4 and the juvenile justice advisory council shall coordinate
5 their efforts in carrying out their respective duties relative
6 to juvenile justice.

7 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There
8 is appropriated from the general fund of the state to the
9 department of inspections and appeals for the fiscal year
10 beginning July 1, 2010, and ending June 30, 2011, the following
11 amounts, or so much thereof as is necessary, for the purposes
12 designated:

13 1. ADMINISTRATION DIVISION

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17 \$ 1,984,510

18 FTEs 39.25

19 As a condition of receiving funding appropriated in this
20 subsection, the department shall maintain the targeted small
21 business certification employee position within the division.

22 2. ADMINISTRATIVE HEARINGS DIVISION

23 For salaries, support, maintenance, and miscellaneous
24 purposes, and for not more than the following full-time
25 equivalent positions:

26 \$ 609,585

27 FTEs 24.00

28 3. INVESTIGATIONS DIVISION

29 For salaries, support, maintenance, and miscellaneous
30 purposes, and for not more than the following full-time
31 equivalent positions:

32 \$ 1,015,570

33 FTEs 50.00

34 4. HEALTH FACILITIES DIVISION

35 a. For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3	\$	4,380,108
4	FTEs	139.75

5 b. The department shall, in coordination with the health
6 facilities division, make the following information available
7 to the public in a timely manner, to include providing the
8 information on the department's internet website, during the
9 fiscal year beginning July 1, 2010, and ending June 30, 2011:

10 (1) The number of inspections conducted by the division
11 annually by type of service provider and type of inspection.

12 (2) The total annual operations budget for the division,
13 including general fund appropriations and federal contract
14 dollars received by type of service provider inspected.

15 (3) The total number of full-time equivalent positions in
16 the division, to include the number of full-time equivalent
17 positions serving in a supervisory capacity, and serving as
18 surveyors, inspectors, or monitors in the field by type of
19 service provider inspected.

20 (4) Identification of state and federal survey trends,
21 cited regulations, the scope and severity of deficiencies
22 identified, and federal and state fines assessed and collected
23 concerning nursing and assisted living facilities and programs.

24 (5) The fiscal impact of additional full-time equivalent
25 positions on the department's efforts relative to the Medicaid
26 divestiture program under Code chapter 249F.

27 c. It is the intent of the general assembly that the
28 department and division continuously solicit input from
29 facilities regulated by the division to assess and improve
30 the division's level of collaboration and to identify new
31 opportunities for cooperation.

32 5. EMPLOYMENT APPEAL BOARD

33 For salaries, support, maintenance, and miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 46,318

2 FTEs 15.00

3 The employment appeal board shall be reimbursed by the labor
4 services division of the department of workforce development
5 for all costs associated with hearings conducted under chapter
6 91C, related to contractor registration. The board may expend,
7 in addition to the amount appropriated under this subsection,
8 additional amounts as are directly billable to the labor
9 services division under this subsection and to retain the
10 additional full-time equivalent positions as needed to conduct
11 hearings required pursuant to chapter 91C.

12 6. CHILD ADVOCACY BOARD

13 For foster care review and the court appointed special
14 advocate program, including salaries, support, maintenance, and
15 miscellaneous purposes, and for not more than the following
16 full-time equivalent positions:

17 \$ 2,920,367

18 FTEs 45.04

19 a. The department of human services, in coordination with
20 the child advocacy board and the department of inspections and
21 appeals, shall submit an application for funding available
22 pursuant to Tit. IV-E of the federal Social Security Act for
23 claims for child advocacy board administrative review costs.

24 b. The court appointed special advocate program shall
25 investigate and develop opportunities for expanding
26 fund-raising for the program.

27 c. Administrative costs charged by the department of
28 inspections and appeals for items funded under this subsection
29 shall not exceed 4 percent of the amount appropriated in this
30 subsection.

31 d. Notwithstanding any provision of sections 237.18 and
32 237.20 to the contrary, the child advocacy board may establish
33 up to six pilot projects using alternative policies to guide
34 the selection of cases and the procedures used by local
35 citizen foster care review boards as they review cases of

1 children who received or are receiving foster care or other
2 out-of-home placement services while under the supervision of
3 the department of human services. Policies to guide the pilot
4 project case selection and review time frames and reporting
5 formats shall be approved by the department of human services,
6 state court administrator, and the chief judge of any judicial
7 district in which a pilot project is to be implemented. The
8 child advocacy board shall report to the governor and general
9 assembly by January 1, 2011, on the progress of any new
10 approaches and their impact on efficiencies and case outcomes.

11 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS — MUNICIPAL
12 CORPORATION FOOD INSPECTIONS. For the fiscal year beginning
13 July 1, 2010, and ending June 30, 2011, the department of
14 inspections and appeals shall retain any license fees generated
15 during the fiscal year as a result of actions under section
16 137F.3A occurring during the fiscal year beginning July 1,
17 2009, and ending June 30, 2010, for the purpose of enforcing
18 the provisions of chapters 137C, 137D, and 137F.

19 Sec. 15. MEDICAID FRAUD ACCOUNT APPROPRIATION — DEPARTMENT
20 OF INSPECTIONS AND APPEALS. There is appropriated from
21 the Medicaid fraud account created in section 249A.7 to the
22 department of inspections and appeals for the fiscal year
23 beginning July 1, 2010, and ending June 30, 2011, the amounts
24 necessary for the purposes designated:

25 1. To cover the cost of any state match to draw down
26 matching federal funds through the department of human services
27 for additional full-time equivalent positions for conducting
28 investigations of alleged fraud and overpayments of food
29 assistance benefits through electronic benefits transfer.

30 2. To cover the cost of any state match to draw down
31 the necessary federal match through the department of
32 human services and with the approval of the department of
33 management for additional full-time equivalent positions for
34 investigations of alleged fraud and overpayments under Code
35 chapter 249F.

1 3. For the state financial match requirement for meeting
2 the federal mandates connected with the department's Medicaid
3 fraud and abuse activities, and the amount necessary to cover
4 costs incurred by the department or other agencies in providing
5 regulation, responding to allegations, or other activity
6 involving chapter 1350.

7 Sec. 16. RACING AND GAMING COMMISSION.

8 1. RACETRACK REGULATION

9 There is appropriated from the general fund of the state
10 to the racing and gaming commission of the department of
11 inspections and appeals for the fiscal year beginning July
12 1, 2010, and ending June 30, 2011, the following amount, or
13 so much thereof as is necessary, to be used for the purposes
14 designated:

15 For salaries, support, maintenance, and miscellaneous
16 purposes for the regulation of pari-mutuel racetracks, and for
17 not more than the following full-time equivalent positions:

18	\$	2,637,614
19	FTEs	28.53

20 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

21 There is appropriated from the general fund of the state
22 to the racing and gaming commission of the department of
23 inspections and appeals for the fiscal year beginning July
24 1, 2010, and ending June 30, 2011, the following amount, or
25 so much thereof as is necessary, to be used for the purposes
26 designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes for administration and enforcement of the excursion
29 boat gambling and gambling structure laws, and for not more
30 than the following full-time equivalent positions:

31	\$	3,034,862
32	FTEs	42.22

33 However, if more than 14 licenses to operate gambling games
34 on a gambling structure or excursion gambling boat are issued
35 during the fiscal year beginning July 1, 2010, and ending June

1 30, 2011, there is appropriated from the general fund to the
2 department an additional amount of not more than \$166,116 for
3 not more than 2.00 full-time equivalent positions for each
4 licensed gambling structure or excursion gambling boat in
5 excess of 14.

6 Sec. 17. ROAD USE TAX FUND APPROPRIATION — DEPARTMENT OF
7 INSPECTIONS AND APPEALS. There is appropriated from the road
8 use tax fund created in section 312.1 to the administrative
9 hearings division of the department of inspections and appeals
10 for the fiscal year beginning July 1, 2010, and ending June 30,
11 2011, the following amount, or so much thereof as is necessary,
12 for the purposes designated:

13 For salaries, support, maintenance, and miscellaneous
14 purposes:
15 \$ 1,623,897

16 Sec. 18. DEPARTMENT OF MANAGEMENT. There is appropriated
17 from the general fund of the state to the department of
18 management for the fiscal year beginning July 1, 2010, and
19 ending June 30, 2011, the following amounts, or so much thereof
20 as is necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes, and for not more than the following full-time
23 equivalent positions:
24 \$ 5,188,649
25 FTEs 60.40

26 Of the moneys appropriated in this section, the department
27 shall use a portion for enterprise resource planning, providing
28 for a salary model administrator, conducting performance
29 audits, and for the department's LEAN process.

30 Sec. 19. ROAD USE TAX APPROPRIATION — DEPARTMENT OF
31 MANAGEMENT. There is appropriated from the road use tax fund
32 created in section 312.1 to the department of management for
33 the fiscal year beginning July 1, 2010, and ending June 30,
34 2011, the following amount, or so much thereof as is necessary,
35 to be used for the purposes designated:

1 For salaries, support, maintenance, and miscellaneous
2 purposes:

3 \$ 56,000

4 Sec. 20. DEPARTMENT OF REVENUE. There is appropriated from
5 the general fund of the state to the department of revenue
6 for the fiscal year beginning July 1, 2010, and ending June
7 30, 2011, the following amounts, or so much thereof as is
8 necessary, to be used for the purposes designated:

9 For salaries, support, maintenance, and miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

12 \$ 22,729,219

13 FTEs 360.07

14 Of the funds appropriated pursuant to this section, \$400,000
15 shall be used to pay the direct costs of compliance related to
16 the collection and distribution of local sales and services
17 taxes imposed pursuant to chapters 423B and 423E.

18 The director of revenue shall prepare and issue a state
19 appraisal manual and the revisions to the state appraisal
20 manual as provided in section 421.17, subsection 17, without
21 cost to a city or county.

22 The director of revenue shall provide a report to the general
23 assembly by January 10, 2011, concerning the impact on revenues
24 collected by the department relative to any increase in
25 examiners authorized for the department in legislation enacted
26 during the 2010 session of the general assembly.

27 Sec. 21. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
28 appropriated from the motor fuel tax fund created by section
29 452A.77 to the department of revenue for the fiscal year
30 beginning July 1, 2010, and ending June 30, 2011, the following
31 amount, or so much thereof as is necessary, to be used for the
32 purposes designated:

33 For salaries, support, maintenance, and miscellaneous
34 purposes for administration and enforcement of the provisions
35 of chapter 452A and the motor vehicle use tax program:

1 \$ 1,305,775

2 Sec. 22. SECRETARY OF STATE. There is appropriated from
3 the general fund of the state to the office of the secretary of
4 state for the fiscal year beginning July 1, 2010, and ending
5 June 30, 2011, the following amounts, or so much thereof as is
6 necessary, to be used for the purposes designated:

7 For salaries, support, maintenance, and miscellaneous
8 purposes, and for not more than the following full-time
9 equivalent positions:

10 \$ 2,895,585

11 FTEs 43.00

12 The state department or state agency which provides data
13 processing services to support voter registration file
14 maintenance and storage shall provide those services without
15 charge.

16 Sec. 23. SECRETARY OF STATE FILING FEES REFUND.

17 Notwithstanding the obligation to collect fees pursuant to the
18 provisions of section 490.122, subsection 1, paragraphs "a" and
19 "s", and section 504.113, subsection 1, paragraphs "a", "c",
20 "d", "j", "k", "l", and "m", for the fiscal year beginning July
21 1, 2010, the secretary of state may refund these fees to the
22 filer pursuant to rules established by the secretary of state.
23 The decision of the secretary of state not to issue a refund
24 under rules established by the secretary of state is final and
25 not subject to review pursuant to the provisions of the Iowa
26 administrative procedure Act, chapter 17A.

27 Sec. 24. TREASURER. There is appropriated from the general
28 fund of the state to the office of treasurer of state for the
29 fiscal year beginning July 1, 2010, and ending June 30, 2011,
30 the following amount, or so much thereof as is necessary, to be
31 used for the purposes designated:

32 For salaries, support, maintenance, and miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

35 \$ 854,289

1 FTEs 28.80

2 The office of treasurer of state shall supply clerical and
3 secretarial support for the executive council.

4 Sec. 25. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER
5 OF STATE. There is appropriated from the road use tax fund
6 created in section 312.1 to the office of treasurer of state
7 for the fiscal year beginning July 1, 2010, and ending June 30,
8 2011, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:

10 For enterprise resource management costs related to the
11 distribution of road use tax funds:

12 \$ 93,148

13 Sec. 26. IPERS — GENERAL OFFICE. There is appropriated
14 from the Iowa public employees' retirement system fund to the
15 Iowa public employees' retirement system for the fiscal year
16 beginning July 1, 2010, and ending June 30, 2011, the following
17 amount, or so much thereof as is necessary, to be used for the
18 purposes designated:

19 For salaries, support, maintenance, and other operational
20 purposes to pay the costs of the Iowa public employees'
21 retirement system, and for not more than the following
22 full-time equivalent positions:

23 \$ 17,686,968

24 FTEs 90.13

25 Sec. 27. REBUILD IOWA OFFICE. There is appropriated from
26 the general fund of the state to the rebuild Iowa office for
27 the fiscal year beginning July 1, 2010, and ending June 30,
28 2011, the following amount, or so much thereof as is necessary,
29 to be used for the purposes designated:

30 For salaries, support, maintenance, and miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33 \$ 923,000

34 FTEs 10.00

35 It is the intent of the general assembly that the rebuild

1 Iowa office shall be repealed effective June 30, 2011, and
2 shall not receive an appropriation from the general fund of the
3 state after that date.

4 DIVISION II

5 AUDITS

6 Sec. 28. Section 8D.13, subsection 13, Code 2009, is amended
7 by striking the subsection.

8 Sec. 29. Section 11.5B, Code 2009, is amended by adding the
9 following new subsections:

10 NEW SUBSECTION. 16. Financial administration duties of the
11 department of management as provided in sections 8.71 through
12 8.99.

13 NEW SUBSECTION. 17. Information technology division of the
14 department of management.

15 Sec. 30. Section 182.18, unnumbered paragraph 1, Code 2009,
16 is amended to read as follows:

17 Moneys collected under this chapter are subject to audit by
18 the auditor of state and shall be used by the Iowa sheep and
19 wool promotion board first for the payment of collection and
20 refund expenses, second for payment of the costs and expenses
21 arising in connection with conducting referendums, ~~and~~ third
22 for the purposes identified in section 182.11, and fourth for
23 the cost of audits for the auditor of state. Moneys of the
24 board remaining after a referendum is held at which a majority
25 of the voters favor termination of the board and the assessment
26 shall continue to be expended in accordance with this chapter
27 until exhausted. The auditor of state may seek reimbursement
28 for the cost of the audit.

29 Sec. 31. Section 184.14, unnumbered paragraph 2, Code 2009,
30 is amended to read as follows:

31 Moneys collected, deposited in the fund, and transferred
32 to the council as provided in this chapter are subject to
33 audit by the auditor of state. The auditor of state may
34 seek reimbursement for the cost of the audit. The moneys
35 transferred to the council shall be used by the council first

1 for the payment of collection expenses, second for payment of
2 the costs and expenses arising in connection with conducting
3 referendums, ~~and~~ third to perform the functions and carry out
4 the duties of the council as provided in this chapter, and
5 fourth for the cost of audits by the auditor of state. Moneys
6 remaining after the council is abolished and the imposition of
7 an assessment is terminated pursuant to a referendum conducted
8 pursuant to section 184.5 shall continue to be expended in
9 accordance with this chapter until exhausted.

10 Sec. 32. Section 184A.6, subsection 2, Code 2009, is amended
11 to read as follows:

12 2. The council shall expend moneys from the account first
13 for the payment of expenses for the collection of assessments,
14 ~~and then~~ second for the payment of expenses related to
15 conducting a referendum as provided in section 184A.12,
16 and third for the cost of audits by the auditor of state as
17 required in section 184A.9. The council shall expend remaining
18 moneys for market development, producer education, and the
19 payment of refunds to producers as provided in this chapter.

20 Sec. 33. Section 184A.9, Code 2009, is amended to read as
21 follows:

22 **184A.9 Audit.**

23 Moneys required to be deposited in the turkey council
24 account as provided in section 184A.4 shall be subject to
25 audit by the auditor of state. The auditor of state may seek
26 reimbursement for the cost of the audit from moneys deposited
27 in the turkey council account.

28 Sec. 34. Section 185C.26, Code 2009, is amended to read as
29 follows:

30 **185C.26 Deposit of moneys — corn promotion fund.**

31 A state assessment collected by the board from a sale of corn
32 shall be deposited in the office of the treasurer of state in
33 a special fund known as the corn promotion fund. The fund may
34 include any gifts, rents, royalties, interest, license fees,
35 or a federal or state grant received by the board. Moneys

1 collected, deposited in the fund, and transferred to the board
2 as provided in this chapter shall be subject to audit by the
3 auditor of state. The auditor of state may seek reimbursement
4 for the cost of the audit from moneys deposited in the fund as
5 provided in this chapter. The department of administrative
6 services shall transfer moneys from the fund to the board
7 for deposit into an account established by the board in a
8 qualified financial institution. The department shall transfer
9 the moneys as provided in a resolution adopted by the board.
10 However, the department is only required to transfer moneys
11 once during each day and only during hours when the offices of
12 the state are open. From moneys collected, the board shall
13 first pay all the direct and indirect costs incurred by the
14 secretary and the costs of referendums, elections, and other
15 expenses incurred in the administration of this chapter, before
16 moneys may be expended for the purpose of carrying out the
17 purposes of this chapter as provided in section 185C.11.

18 EXPLANATION

19 Division I of this bill relates to and appropriates moneys
20 to various state departments, agencies, and funds for the
21 fiscal year beginning July 1, 2010, and ending June 30, 2011.
22 The division makes appropriations to state departments and
23 agencies including the department of administrative services,
24 auditor of state, Iowa ethics and campaign disclosure board,
25 department of commerce, offices of governor and lieutenant
26 governor, Terrace Hill quarters and drug control policy office,
27 department of human rights, department of inspections and
28 appeals, department of management, Iowa public employees'
29 retirement system, secretary of state, treasurer of state, and
30 department of revenue, and the rebuild Iowa office. The bill
31 also appropriates funding for the state's membership in the
32 national governors association.

33 Division II concerns audits performed by the auditor of
34 state.

35 Code section 8D.13, concerning the Iowa communications

1 network, is amended to eliminate the requirement that the
2 auditor of state examine, no less than annually, the financial
3 condition and transactions of the Iowa telecommunications and
4 technology commission.

5 Code section 11.5B, concerning repayment of audit expenses
6 by state departments, is amended to provide that audits
7 relative to the financial administration duties of the
8 department of management and the information technology
9 division of the department of management are reimbursable.

10 The division also provides that the cost of audits required
11 to be conducted by the auditor for the Iowa corn promotion
12 board, Iowa sheep and wool promotion board, Iowa egg council,
13 and the Iowa turkey council may be reimbursed from moneys
14 collected by the applicable board or council.